

REMARKS

This responds to the Office Action mailed on January 13, 2005.

Claims 1-4 are withdrawn from consideration, claims 5-19 are canceled; as a result, claims 1-4 and 20-34 are now pending in this application.

§102 Rejection of the Claims

Claims 20-22, 25, 26 and 29-34 were rejected under 35 USC § 102(a) as being anticipated by Agarwala et al. (U.S. 2003/0157794 A1). Applicant respectfully traverses this rejection and requests the Office to consider the following.

Applicant respectfully asserts that Agarwala et al. is not a proper reference Agarwala et al. indicates a filing date of February 20, 2002, whereas the instant application is a Divisional of U.S. Patent Application Serial No. 09/660,757, filed September 13, 2000. For Agarwala et al. to be a proper reference, assertable against the instant claims, it must have been "known or used by others in this country ... before the invention thereof by the applicant for a patent." (35 USC § 102(a)). The instant application has an effective filing date that predates that of Agarwala et al. Withdrawal of the rejections is respectfully requested.

Allowable Subject Matter

Claims 23, 24, 27 and 28 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant gratefully acknowledges such provisional indication of allowability, but respectfully asserts that Agarwala et al. is not a proper reference as set forth above. Withdrawal of the objections is respectfully requested.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney, John Greaves at (801) 278-9171 or the below signed attorney to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

QING MA

By his Representatives,

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Date March 14, 2005

By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14th day of March 2005.

Dennis J. Knapf

Name

[Signature]

Signature